

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,  
STATE OF ILLINOIS, and  
STATE OF OHIO,

Plaintiffs,

vs.

GATEWAY ENERGY & COKE  
COMPANY, LLC,  
HAVERHILL COKE COMPANY,  
LLC,  
SUNCOKE ENERGY, INC.,

Defendants.

Case No. 13-cv-616-DWD

ORDER

DUGAN, District Judge:

On June 26, 2013, the United States of America, State of Illinois, and State of Ohio filed suit against Defendants Gateway Energy & Coke Company, LLC, Haverhill Coke Company, LLC, and SuncCoke Energy, Inc. alleging claims under the Clean Air Act, the Illinois Environmental Protection Act, and Chapter 3745 of the Ohio Revised Code. Plaintiffs sought injunctive relief and civil penalties against Defendants related to violations at two facilities that manufacture metallurgical coke using the same horizontal heat recovery coke oven technology and that employed the same air pollution control devices to minimize emissions from the coke-making process.

The parties sought and received approval for a consent decree to resolve all of the claims in this action. The consent decree was entered on November 10, 2014, and this

action was closed. (Doc. 47). After the entry of the consent decree, the parties filed notices of amendment of the consent decree, and a second amendment to the consent decree was entered by the Court on July 10, 2018. (Doc. 55). The parties filed notices amending the consent decree further on September 25, 2020, and November 13, 2020. (Docs. 56, 57).

On December 18, 2020, this action was reassigned to the undersigned District Judge. On December 31, 2020, the United States of America filed a notice informing the Court that a signatory on the November 13, 2020 notice, Karen S. Dworkin, Deputy Section Chief for the Environmental & Natural Resources Division of the Department of Justice's Environmental Enforcement Section, had inadvertently failed to pay her bar dues, and her law license was suspended from October 1, 2020, through December 13, 2020. (Doc. 57). According to a letter from Ms. Dworkin (Doc. 57-1), she discovered the lapse on December 11, 2020, and immediately took steps to be reinstated to active status.

In addition to Ms. Dworkin, three other attorneys with the Department of Justice signed the November 13, 2020 notice on behalf of the United States. The Court accepts Ms. Dworkin's apology for the misunderstanding that she was an active member of the bar in November 2020, and, despite her offer of additional information at the Court's request, finds that no further action need be taken.

**SO ORDERED.**

Dated: January 4, 2021



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DAVID W. DUGAN  
United States District Judge